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1636

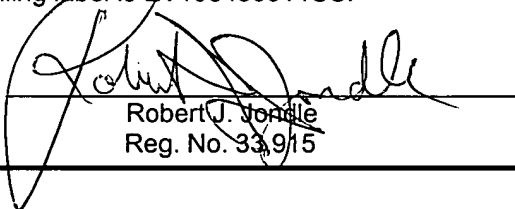
**IN THE  
UNITED STATES  
PATENT AND TRADEMARK  
OFFICE**

<i>Application Number</i>	09/782,255
<i>Filing Date</i>	February 14, 2001
<i>First Named Inventor</i>	Bruce Marvin HELD
<i>Group Art Unit</i>	1636
<i>Examiner Name</i>	Nancy S. Vogel
<i>Attorney Docket Number</i>	N1205-009

*Title of the Invention:* **Promoter and Construct for Plant Transformation**

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail (post office to addressee) in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, PO Box 1450, Alexandria VA 22313-1450 on this 6<sup>th</sup> day of May 2004. The number of the Express Mail mailing label is EV195486614US.



Robert J. Jorde  
Reg. No. 33,915

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Mail Stop Amendment  
Commissioner of Patents  
P O Box 1450  
Alexandria VA 22313-1450

Sir:

In response to the Notice of Non-Compliant Amendment mailed April 16, 2004, please find attached the **Amendments to the Claims** which begins on page 2 of this paper.

**Remarks** begin on page 3 of this paper.